

INDIANAPOLIS-MARION COUNTY LAW ENFORCEMENT CONSOLIDATION
COMMITTEE

DATE: August 24, 2005

LOCATION: Room 260

CALLED TO ORDER: 4:04 p.m.

ADJOURNED: 5:45 p.m.

ATTENDANCE

Attending Members

Mary Moriarty Adams, Chairwoman
Lonnell Conley
Ron Gibson
Dane Mahern
Lynn McWhirter
William Oliver
Marilyn Pfisterer
Lincoln Plowman
Joanne Sanders

Absent Members

AGENDA

Motion to move forward with the Consolidation of the Indianapolis Police Department and the Marion County Sheriffs' Department.
Vote: 6-3

INDIANAPOLIS-MARION COUNTY LAW ENFORCEMENT CONSOLIDATION COMMITTEE

The Indianapolis-Marion County Law Enforcement Consolidation Committee of the City-County Council met on Monday, August 24, 2005 in Room 260 of the City-County Building. Chairwoman Mary Moriarty Adams called the meeting to order at 4:04 p.m. with the following members present: Lonnell Conley, Ron Gibson, Dane Mahern, Lynn McWhirter, William Oliver, Marilyn Pfisterer, Lincoln Plowman, and Joanne Sanders. Also present Steve Talley the President of the City-County Council, and Bart Brown, the Chief Financial Officer of the Council.

Chairwoman Moriarty Adams stated that this will be an information-gathering meeting only and there will be not public testimony.

President Talley read verbatim his remarks to the Indianapolis-Marion County Law Enforcement Consolidation Committee, which are attached to the minutes.

{Clerks note: Bart Brown; James Steele, Financial & Contract Specialist, Michael Shaffer, President of Wabash Scientific, Inc.; and Dr. Roger Parks, Supplemental Community Research, explained the presentation which is on file with the original set of minutes in the Council office.}

Mr. Brown stated that the Wabash Scientific, Inc., has prepared this Phase 1 Preliminary Report for the Council in cooperation with James H. Steele and Professor Roger B. Parks (IU/SPEA). The report is based on the anticipation of a decision-making process, which contains two fundamental phases. This Preliminary report only provides information and analysis for the first phase in the decision-making process of the Council. He said that this information is to offer analysis on data, scenarios and evidence of savings and efficiencies.

Dr. Parks stated that a Political Resolve is a key component in a consolidation process. It is the political leadership of a community that decides to proceed with consolidation. Once they have made that decision then the professional will have to implement consolidation and make sure it is done properly. He said that in order to have a successful process you must involve the professionals in law enforcement. Dr. Parks stated that one of the things that raised a concern was the social security issue, and it is in the hands of the social security administration and a federal decision would have to be made. He said that if cost savings accrue it will result over time. The effectiveness and efficiency improvement depends on how the merger is implemented.

Mr. Brown stated that a consolidated department would be far superior in its coverage and very comparable to other cities.

The first general phase represents the Council's examination of the premises of IPD/MCSD consolidation to determine whether there is ample fiscal basis for implementing a consolidation. The Consolidation committee has engaged in the following activities as part of Phase I process:

- Received information from a broad range of individuals, agencies, and the general public regarding a possible consolidation;
- Interacted with various individuals and groups, which offered information through questions and answer exercises, written information exchanges, and general research;
- Visited other cities where consolidation has been implemented in order to gain first-hand information by interacting with other community leaders on their consolidation experience.
- Developed additional research into potential costs savings, revenue enhancements, and improvements in police coverage which could potentially be realized through a consolidation.
- Developed a preliminary report to serve as the basis for public discussion and to serve as a public information document; and,
- Engaged in a public discussion of the relative merits and other issues related to IPD/MCSD Consolidation in preparation for a vote of the Committee on whether to pursue consolidation.

Mr. Brown stated that Wabash Scientific, Inc. found no specific revenue that was a direct result of the IPD/MCSD consolidation. However, research did reveal that potential cigarette excise tax revenue could be gained from the consolidation of the Indianapolis Fire Department and the fire departments of the townships with the Consolidated City. Currently, certain excise taxes received by the Consolidated City are based on the population of the Fire Special Service District.

Randall Pollard, Special Counsel to President Talley, stated that research was done on the current law, which looks at the population of the old city district when it talks about tax allocation for certain excise taxes. This allocation formula would be enlarged or enhanced to include the consolidated city if a special fire service district was considered. He said consolidation of the fire department would theoretically increase the area, which would be looked at how to allocated excise tax. Mr. Brown stated that the language would have to be changed from fire to police by the Legislators and this is just another option.

Councillor Sanders asked if there was any consideration of possible buy-out packages. Mr. Brown answered in the negative.

Councillor Mahern asked if regular maintenance things could be sent to private companies in order to free up space in the fleet service garage. Mr. Brown stated that this is a possible solution.

Councillor McWhirter asked if the Reserve Officer's vehicles were included in the research information that was presented. Mr. Shaffer stated that there were 846 total vehicles, which include the vehicles for the Reserve officers.

Councillor Oliver asked if the Park Rangers were included in the cost. Mr. Brown answered in the negative.

Mr. Brown stated that the assumption is that the Sheriff would run the consolidation department, and currently the Sheriff does a great job minimizing the overtime cost by using reserve deputies.

Mr. Steele stated if there is a consolidation, new hires must enroll in the 1977 State PERF pension plan. Existing employees would remain in the plan that they are currently in. The Sheriff's department Pension board administers the Sheriff's retirement plan. The State of Indiana administered the 1977 Plan. The contribution amounts for the two plans differ. On the Sheriff's side there is an actuarial evaluation done each year to determine the contribution amount, which varies from year to year. This evaluation is based on how many members of the plan are current and retired. The standard contribution for the 1977 plan is 21% of a 20-year longevity patrolman's base salary and employee contribution is 6% of that 20-year base salary.

Councillor McWhirter asked if, as the MCSD employees drop out of their pension plans would the cost of that pension plan rise. Mr. Steele answered in the negative. He said that this plan is evaluated based on the current members, assuming no new members are added.

Councillor Sanders asked if sick days were evaluated as an element of cost to the two departments. Mr. Steele stated that he did not look into the use of sick days. He said that contract of sick days is very similar between the two departments.

Councillor Pfisterer asked if there was a dollar amount that could be associated with Social Security. Mr. Brown answered in the negative. He stated that Social Security is a complex issue.

Mr. Brown stated that the Council can expect to see some savings from a consolidation. He stated that it is anticipated that the Council will drive the process and the experts will make recommendations. He said that everything depends on the Council and the experts' decisions.

Councillor Plowman asked Mr. Parks to explain what he meant when he said that he was not sure if there could be savings in a consolidation. Mr. Parks stated it depends very much on the details of how the consolidation is done.

Councillor McWhirter stated that she does not believe that the savings that are mentioned in the report will be achieved.

Councillor Gibson stated that consolidation is something that should be explored based on efficiency, accountability, and fiscal savings.

Councillor McWhirter stated that she will not support this motion. She said that the Mayor started IndyWorks with an \$8.8 million savings and now consolidation might save some money,

but the main thing is to find some efficiency. The efficiency that the Mayor says will happen with consolidation could be done without merging the departments. Most areas of the departments are already being handled together. The last few remaining, such as training and vehicle maintenance, could be combined without consolidation. As for deployment of the officers to different districts, this also could be handled with dual response and mutual aid agreements. The two main issues are whether or not Social Security will have to be paid to the new department and how that will affect employees of both departments. The other area is the area of Merit Law; it has not been determined if the employee will retain the merit rank that they have now or if it could be changed under the new department. These two main issues affect the livelihood of the public safety officers and these issues should be settled up front before any consolidation takes place. Once consolidation is done it cannot be undone. She said there are still too many unanswered questions to move forward with consolidation. The people that put their lives on the line to serve and protect the citizens deserve to know that they will be taken care of.

Councillor Mahern stated that he is in favor of moving forward with the consolidation, as it will provide better efficiencies.

Councillor Pfisterer stated that the whole issue began as an opportunity to save money but the reality is that there will not be any savings. She said the Social Security issue is a very big concern and needs be addressed. Councillor Pfisterer and that the Social Security Administration stated that if the two departments merge and create new entity, the agreement would not be finalized until a referendum is held. If the majority of eligible members vote in favor of the agreement then all current and future employees would be covered under this retirement system. Under options two if the two departments want to maintain separate retirement plans then legislative action would need to be taken by Congress, which is a long and involved process. Councillor Pfisterer stated that she is against proceeding with the consolidation process.

Councillor Conley stated that he is for the continuation of the consolidation study to involve the law enforcement professions. He stated that if a consolidation will provide better service and safety then he is in favor of it.

Councillor Sanders stated that the committee has looked at some of the other cities that already have consolidated forces, learning some of their perimeters. She said that she does not consider this a rush to judgement. In the long run the appropriate experts will come up with solutions and creative answers to help with consolidation.

Chairwoman Moriarty Adams stated it is clear that resolutions must be found to deal with the fiscal crisis facing this City and County. There are no present funding mechanisms available that would allow the public safety needs to be adequately funded. The Council does not have sufficient home rule to create new revenue streams. After having the Chief and the Sheriff present to the consolidation committee, after having public input, FOP input, and after having visited three cities where consolidation has occurred, she is in support of the merger. Her

reasons are Personnel Consolidation, Accountability, and Coverage Benefit. In the area of Personnel Consolidation it has been demonstrated by the cities the committee visited that organizations can be streamlined and the department can become more efficient. In the area of Accountability it should be no surprise to anyone that one department is more accountable than two separate departments who answer to different authorities. That accountability is enhanced if the person who oversees a consolidated department is selected directly by the people he or she protects. In the area of Cover Benefit a consolidated department offers an immediate benefit to the citizens in the Marion County Suburbs without asking taxpayers to take on the cost of hiring more deputies. Chairwoman Moriarty Adams stated that any final plan on consolidation will not jeopardize the safety of citizens within IPD jurisdiction; neither will it jeopardize public safety countywide.

Councillor Gibson moved, seconded by Councillor Oliver, to proceed with drafting a proposal to consolidate the Indianapolis Police Department and the Marion County Sheriff Department. The motion carried by a vote of 6-3 with Councillor McWhirter, Councillor Pfisterer, and Councillor Plowman casting the negative votes.

Chairwoman Moriarty Adams thanked Chief Spears and IPD's police and staff and also Sheriff Anderson and MCSD's deputies and staff for all of the efforts of providing information to the committee. She thanked the Administration for responding to the committee's many questions. Chairwoman Moriarty Adams thanked the FOP for their engagement with the consultants throughout the entire process. Lastly she thanked the consolidation committee for their continued involvement, their comments, and their willingness to travel to other cities.

CONCLUSION

With no further business pending, and upon motion duly made, the Indianapolis-Marion County Law Enforcement Consolidation Committee of the City-County Council was adjourned at 5:45 p.m.

Respectfully submitted,

Mary Moriarty Adams, Chairwoman
Public Safety and Criminal Justice Committee

MMA/rjp